



Rep. Monique D. Davis

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09900HB1394ham003

LRB099 06218 RLC 32945 a

1 AMENDMENT TO HOUSE BILL 1394

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1394 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Prohibited Use of Force Act.

6 Section 5. Definitions. In this Act:

7 "Chokehold" means a method by which a person holds another  
8 person by putting his or her arm around the other person's neck  
9 with sufficient pressure to make breathing difficult or  
10 impossible and includes, but is not limited to, any pressure to  
11 the throat or windpipe, which may prevent or hinder breathing  
12 or reduce intake of air.

13 "Peace officer" has the meaning as indicated in Section  
14 2-13 of the Criminal Code of 2012.

15 "Private security contractor", "private security  
16 contractor agency", and "employee" have the meanings ascribed

1 to them in the Private Detective, Private Alarm, Private  
2 Security, Fingerprint Vendor, and Locksmith Act of 2004.

3 Section 10. Prohibited use of force.

4 (a) A peace officer, private security contractor, or  
5 employee of a private security contractor agency shall not  
6 apply a chokehold in the performance of his or her duties,  
7 unless faced with a situation in which the use of deadly force  
8 is justified under Article 7 of the Criminal Code of 2012.

9 (b) After gaining control of a subject, a peace officer,  
10 private security contractor, or employee of a private security  
11 contractor agency shall not:

12 (1) sit, kneel, or stand on a subject's chest or  
13 stomach, resulting in chest compression and a reduction in  
14 the subject's ability to breathe; or

15 (2) place the subject on his or her stomach, or in a  
16 manner that prohibits free breathing.

17 (c) A peace officer, private security contractor, or  
18 private security contractor agency shall not use more officers,  
19 contractors, or employees of a private security contractor  
20 agency than are reasonably necessary based on the totality of  
21 the circumstances to effect an arrest, overcome resistance,  
22 control a subject, or protect themselves or others from injury.

23 (d) A peace officer, private security contractor, or  
24 employee of a private security contractor agency shall monitor  
25 individuals being detained and seek medical attention for any

1 individual who displays injuries or illnesses.

2 Section 15. Sentence. A violation of this Act is a Class 4  
3 felony.".